

VOTER'S ELECTION GUIDE



On **November 4, 2003** the City of Miami Beach will be conducting its regularly scheduled General Election for the purpose of electing a Mayor and three City Commissioners. At the same time, the City will also be holding a Special Election, for the purpose of presenting to the City's voters eight ballot questions. The purpose of this Voter's Guide is to provide objective, impartial explanations of these ballot questions so that City voters may, in casting their vote, be more informed and comfortable with the issues presented to them at the polls.

The first five of these ballot questions resulted from the Charter Review Process. Every ten years, the City of Miami Beach is required to review the City Charter with input and participation by the public. The Miami Beach City Charter is equivalent to the State Constitution, establishing the City's form of government, setting forth the powers and duties of the governing body, and generally providing for methods of elections and Charter-enumerated officers. The City Commission created an Ad-Hoc Charter Review & Revision Board made up of members of the public that met eight times.

NOT AN OFFICIAL BALLOT

This pamphlet is intended for informational purposes only. Please contact the Miami-Dade County Elections Office at 305-375-5553 for additional voting registration and ballot information.

AMENDING CITIZENS' BILL OF RIGHTS RE: NONDISCRIMINATION

Shall the Miami Beach City Charter be amended to include within the Citizens' Bill of Rights a guarantee that no person shall be deprived of any rights and privileges conferred by law because of race, color, national origin, religion, gender, sexual orientation, disability, marital status, familial status, or age?

EXPLANATION

In November of 1993, the voters approved an amendment to the City Charter via the inclusion of a "Citizens' Bill of Rights," ensuring fair and equitable treatment to all persons by guaranteeing therein specific rights of open government. Remedies for violations of these rights are set forth within the Charter.

The ballot question seeks to amend the Bill of Rights, by adding a guarantee that: "No person shall be deprived of any rights and privileges conferred by law because of race, color, national origin, religion, gender, sexual orientation, disability, marital status, familial status, or age." If approved by the voters, this guarantee of nondiscrimination will be incorporated into the Citizens' Bill of Rights.

YES Touch #52

NO Touch #53

The City of Miami Beach expresses its gratitude to you for your interest and participation in the 2003 election process. Through your vote, you can make a difference!

voting at a glance

General Election

Tuesday, November 4, 2003
7 a.m. until 7 p.m.

Runoff (if necessary):

Tuesday, November 18, 2003

Early Voting

First Floor Conference Room
City Hall
1700 Convention Center Drive

From 12 noon until 7 p.m.

Monday, October 27
Tuesday, October 28
Wednesday, October 29

From 9 a.m. until 4 p.m.

Thursday, October 30
Friday, October 31

From 9 a.m. until 7 p.m.

Saturday, November 1

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AMENDING CHARTER SECTION 2.01 TO CHANGE RUN-OFF ELECTION DATE

Shall Section 2.01 of the Miami Beach City Charter be amended to change the run-off date from one (1) week after the general election to two (2) weeks after the general election?

EXPLANATION

The City Charter provides that in the event a candidate for Mayor or Commissioner does not receive a majority of the votes cast (in the General Election) to be deemed elected, there will be a Run-Off Election between the two candidates in each group receiving the highest number of votes –the Charter further states that this Run-Off Election will occur one week from the date of the General Election.

In order to facilitate the run-off election and to ensure that absentee ballots can be prepared, sent to the voters, and returned, the Miami-Dade County Elections Department has requested a two-week run-off period.

This ballot question asks the voters if the date of the Run-Off Election should be moved from **one** week after the General Election to **two** weeks after the General Election.

YES Touch #54

NO Touch #55

DELETING SUBPOENA POWER OF MIAMI BEACH CITY COMMISSION

Shall the language in Section 2.03 of the Miami Beach City Charter granting subpoena power to the Miami Beach City Commission be deleted?

EXPLANATION

In the November 1993 election, City voters approved an amendment to the Charter which granted the City Commission the power to issue subpoenas (a written order compelling a person to appear before the Commission for testimony and/or to produce documents); because of the fact that the City had previously experienced problems (i.e., uncooperative witnesses) in conducting internal investigations, it was believed that subpoena power was a needed amendment to the Charter. In conducting its ten year review of the Charter, it has become apparent that the Commission has never issued a subpoena, nor has the issue ever arisen to consider such issuance. The City believes that the Commission's need to issue subpoenas is no longer an issue, and should be deleted as obsolete, language.

YES Touch #56

NO Touch #57

AMENDING CHARTER SECTION 6.03 TO PROVIDE FOR CANDIDATE'S RESIDENCY REQUIREMENT

Shall Section 6.03 of the Miami Beach City Charter be amended to require that candidates for elected office in the City of Miami Beach reside in the city for at least one year prior to qualifying for office?

EXPLANATION

This question changes the residency requirement for elected officials from 60 days prior to an election to at least one year.

YES Touch #58

NO Touch #59

AMENDING RELATED SPECIAL ACTS SECTION 2 REGARDING "ZONING BOARD OF ADJUSTMENT"

Shall Related Special Acts, Section 2, regarding "Zoning Board of Adjustment" be amended by:

- deleting reference to 2 non-voting ex-officio members, and instead establishing 2 members as regular, voting members appointed by the City Commission; and
- increasing number of Board votes required for action from 4/5th vote of Board to 5/7th vote?

EXPLANATION

The "Related Special Acts" portion of the Miami Beach City Code establishes the composition and powers of the City's Zoning Board of Adjustment. Section 2 of the Special Acts states that this Zoning Board shall have 7 members (5 regular/voting members, and 2 ex-officio/nonvoting members who serve as the City's Planning Director and the City's Public Works Director); inasmuch as these two City employees serve as administrative staff for the Zoning Board, this ballot question suggests deleting the reference to the two ex-officio/nonvoting members, and instead establishing two additional regular/voting members, appointed by the City Commission.

Finally, since the creation of two additional members with voting power will effectively increase the number of regular Zoning Board members from 5 to 7, the ballot question suggests an increase in the number of votes required for Board action from 4/5th to 5/7th (thus retaining the requirement of a supermajority vote).

YES Touch #60

NO Touch #61

FIREFIGHTER AND POLICE PENSION FUNDS: DELETING SPECIFIC INVESTMENT/ALLOCATION RESTRICTIONS AND SUBSTITUTING “PRUDENT PERSON” STANDARD

Shall the City’s Related Special Acts, Articles VII and VIII regarding the City’s relief and pension funds for firefighters and police officers, be amended to delete certain restrictions concerning the investment and allocation of pension fund assets, and to substitute therefore language authorizing the pension board to exercise, in a prudent manner, independent judgment in allocating and investing funds?

EXPLANATION

Currently, the City’s Related Special Acts puts restrictions on how the funds received by the Firefighter Relief and Pension Fund, and the Police Officer’s Relief and Pension Fund are invested. There are specific restrictions currently limiting investments mainly to bonds, notes, securities, shares or other interest – bearing obligations of the Government of the United States, states, territories or possessions of the United States.

Both the Board of the Firefighter Relief and Pension Fund, and the Board of the Police Officer’s Relief and Pension Fund have requested the subject language be amended to allow the use of the prudent person standard, thereby diversifying the investments of the Plan so as to optimally minimize the risk of large losses, unless under the circumstances it is clearly prudent not to diversify.

YES Touch #62

NO Touch #63

AMENDING FIREFIGHTER/POLICE PENSION PLAN RE: DESIGNATION OF BENEFICIARY AND NORMAL FORM OF BENEFIT

Shall the City’s Related Special Acts, Article IX, regarding the City’s Pension Fund for Firefighters and Police Officers, be amended to allow such pension fund members to designate a beneficiary to receive optional survivor benefits, and to provide a lifetime benefit for members with a minimum ten year payment period as the normal form of benefit?

EXPLANATION

The State of Florida submits a percentage of the insurance premiums received from property and casualty insurance to the municipalities of Florida as a means of providing additional or enhanced retirement benefits for Firefighters (based on property insurance premiums) and Police Officers (based on casualty insurance premiums). The municipalities have the option to use these funds as their retirement plan or to establish special supplemental plans. Under Chapter 19112, Acts of Florida, 1939, the City of Miami Beach opted to establish supplemental plans for both the Firefighters and Police Officers.

AMENDING FIREFIGHTER/POLICE PENSION

(Continued)

The State of Florida now requires that in order for the separate Firefighter Relief and Pension Fund and the Police Officer’s Relief and Pension Fund (supplemental plans) to receive the additional tax dollars, the existing language that relates to minimum benefits in the City’s Pension Fund for Firefighters and Police Officers must be changed.

Currently, the City’s Related Special Acts portion of the City Code’s language for the City’s Pension Fund for Firefighters and Police Officers places restrictions on who a beneficiary may be and on how the retired person may elect to receive a retirement benefit and the amount the beneficiary receives. Approving the ballot question would allow: 1) the member to designate anyone they wish as beneficiary regardless of relationship to the employee and 2) allow them an additional method to select a retirement benefit by electing a lifetime retirement benefit with 120 monthly payments guaranteed. If the member should die before the 120 monthly payments are made, benefits will continue to be paid to the member’s designated beneficiary for the balance of the 120 month period. If the retired member is living after 120 monthly payments are made, the payments shall be continued for the member’s lifetime.

YES Touch #64

NO Touch #65

RENAMING “ISLAND VIEW PARK” TO “MAURICE GIBB MEMORIAL PARK”

Shall “Island View Park” (located generally at 18th Street and Purdy Avenue in Miami Beach) be renamed “Maurice Gibb Memorial Park” in honor of the late Maurice Gibb, long-time Miami Beach resident and member of the singing group “The Bee Gees,” which has won numerous awards, including multiple Grammys for the soundtrack of the motion picture “Saturday Night Fever,” and was inducted into the rock and roll hall of fame?

EXPLANATION

This ballot question suggests renaming “Island View Park,” located at 18th Street and Purdy Avenue in Miami Beach, to “Maurice Gibb Memorial Park.” Maurice Gibb, a long-time Miami Beach resident and member of the world renowned singing group, the Bee Gees, passed away on January 13, 2003. The suggested park renaming is in recognition of Maurice Gibb, having brought positive attention to Miami Beach, his South Florida hometown, and his lifetime achievement of entertaining millions of people around the world.

YES Touch #66

NO Touch #67

Precinct

voting locations

- 11 BISCAYNE ELEMENTARY SCHOOL, 800 - 77 ST
13 NORTH SHORE BRANCH LIBRARY, 7501 Collins Ave.
14 NORTH SHORE COMMUNITY CTR, 7250 Collins Ave.
15 FAIRWAY PARK, 200 Fairway Dr.
18 NORMANDY SHORES GOLF COURSE, 2401 Biarritz Dr.
19 NORMANDY SHORES GOLF COURSE, 2401 Biarritz Dr.
20 MIAMI BEACH FIRE STATION #3, 5303 Collins Ave.
21 NORTH SHORE COMMUNITY CENTER, 7250 Collins Ave.
22 MIAMI BEACH FIRE STATION #3, 5303 COLLINS AVE.
23 MIAMI BEACH FIRE STATION #3, 5303 COLLINS AVE.
24 NAUTILUS MIDDLE SCHOOL, 4301 NORTH MICHIGAN AVE.
25 MIAMI BEACH FIRE STATION #3, 5303 COLLINS AVE.
26 TEMPLE BETH SHOLOM, 4144 CHASE AVE.
27 OCEAN GRANDE HOTEL, 3651 COLLINS AVE.
28 TEMPLE BETH SHOLOM, 4144 CHASE AVE.
29 NORTH BEACH ELEMENTARY SCHOOL, 4100 PRAIRIE AVE.
30 MIAMI BEACH BOTANICAL GARDEN, 2000 CONVENTION CTR. DR.
31 DADE BOULEVARD FIRE STATION #2, 2300 PINETREE DR.
32 MIAMI BEACH PUBLIC LIBRARY, 2100 COLLINS AVE.
33 21st STREET COMMUNITY CENTER, 2100 WASHINGTON AVE.
34 MIAMI BEACH BOTANICAL GARDEN, 2000 CONVENTION CTR. DR.
35 21st STREET COMMUNITY CENTER, 2100 WASHINGTON AVE.
36 FLAMINGO PARK BOYS & GIRLS CLUB, 1000 - 12 ST.
37 MIAMI BEACH CITY HALL, 1700 CONVENTION CENTER DR.
38 MIAMI BEACH ROD & REEL CLUB, 208 SOUTH HIBISCUS DR.
39 ST. FRANCIS DE SALES CHURCH, 621 ALTON RD.
40 SOUTH POINTE ELEMENTARY SCHOOL, 1050 - 4 ST.
41 MIAMI BEACH FIRE STATION #1, 1051 JEFFERSON AVE.
42 FIENBERG FISHER ELEMENTARY SCHOOL, 1420 WASHINGTON AVE.
43 MIAMI BEACH POLICE DEPARTMENT, 1100 WASHINGTON AVE.
44 OCEAN FRONT AUDITORIUM, 1001 OCEAN DR.
45 DADE BOULEVARD FIRE STATION #2, 2300 PINE TREE DR.
46 SOUTH SHORE COMMUNITY CENTER, 833 - 6 ST.
48 SOUTH POINTE PARK, 1 WASHINGTON AVE.
53 21st STREET COMMUNITY CENTER, 2100 WASHINGTON AVE

Miami Beach



**2003 General
Elections are
November 4!**

For more candidate information
and voting in Miami Beach,
please visit the City's website at
www.miamibeachfl.gov.

If you are a person with a disability and would like to request this publication in accessible format, request sign language interpreters (five days in advance, if possible), request information on access for persons with disabilities, need any accommodation to review any document and/or participate in any city-sponsored proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City of Miami Beach Answer Center via telephone numbers 305-604-2489 (voice), 305-673-7524 (fax) or 305-673-7218 (TTY) five days in advance if possible to initiate your request. TTY users may also call 711 to reach the Florida Relay Service.



City of Miami Beach
City Hall
1700 Convention Center Drive
Miami Beach, Florida 33139

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